vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1534 OF 1997

The Chief Secretary, Maharashtra
& Ors. ... Petitioners

V/s.

Raste, Imarati, Veej, Patbandhare
Kamgar Sanghatna, Pune ... Respondents

Mr.D.A. Patil, AGP, for Petitioners
Mrs.Seema Sarnaik for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **NOVEMBER 29, 2006**

P.C.:

. This writ petition challenges the order of the Industrial Court dated 16.8.1996 wherein the Industrial Court held that the Petitioners had committed an unfair labour practice under Item 9 of Schedule IV of the MRTU & PULP Act. It was the case of the Respondent that the Petitioners had flouted the provisions of clause 5 of the Kalelkar Award which permitted daily rated workers who were employed as Converted Regular Temporary employees to enjoy 2nd and 4th Saturdays as holidays every month. This facility was withdrawn by the Petitioners and therefore, the Respondents have filed a complaint (ULP) No.583 of 1993.

2. A similar issue had arisen before this Court in

Writ Petition No.1286 of 1996. A learned Single Judge of this Court has held that the Petitioner in that case had committed an unfair labour practice by not giving effect to the Kalelkar Award and by withdrawing the holidays available to the workmen on the 2nd and 4th Saturday of each month.

3. In view of the judgment in Writ Petition No.1286 of 1996, this Writ Petition is dismissed.